

DSS:MSA
F.#2012R01228

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12M1068

-----X
UNITED STATES OF AMERICA

- against -

HUGNEL ANDRE,
also known as "Hugz,"

Defendant.
-----X

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

(T. 18, U.S.C.
§§ 1951(a), 924(c) and
2)

EASTERN DISTRICT OF NEW YORK, SS:

JOSEPH INFUSINO, being duly sworn, deposes and says
that he is a Special Agent with the Federal Bureau of
Investigation ("FBI"), duly appointed according to law and acting
as such.

On or about March 30, 2011, within the Eastern District
of New York, the defendant HUGNEL ANDRE, also known as "Hugz,"
together with others, did knowingly and intentionally conspire to
obstruct, delay and affect commerce, and the movement of articles
and commodities in commerce, by robbery, to wit: the robbery of
money from one or more commercial establishments in Brooklyn, New
York.

(Title 18, United States Code, Sections 1951(a) and 2)

On or about March 30, 2011, within the Eastern District of New York, the defendant HUGNEL ANDRE, also known as "Hugz," together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more crimes of violence, and did knowingly and intentionally possess said firearms in furtherance of such crimes of violence, which firearms were brandished.

(Title 18, United States Code, Sections
924(c) (1) (A) (ii) and 2)

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I have been a Special Agent with the FBI for approximately four years. My information in this case comes from my experience as a law enforcement agent, reviews of law enforcement records, conversations with witnesses and law enforcement officers, and other official records of government agencies. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part only.

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

2. The government is informed by two cooperating defendants ("CD-1" and "CD-2"),² who have first hand knowledge of the offenses described herein, that on or about March 30, 2011, the defendant HUGNEL ANDRE, also known as "Hugz," and three other individuals, whose identities are known to the government, agreed to rob one or more commercial establishments Brooklyn, New York. The defendant HUGNEL ANDRE, also known as "Hugz," agreed to be the driver for the robberies. CD-1 and CD-2 have informed the government that the defendant and his co-conspirators are members of a street gang. CD-1 and CD-2 further informed the government that the defendant's gang has been involved in numerous robberies and shootings over at least the past eight years.

3. CD-1 and CD-2 also informed the government that, on or about March 30, 2011, the defendant drove four individuals to the scene of two robberies of commercial establishments. The defendant drove the co-conspirators in a white van. CD-2 has informed the government that the defendant previously used the same white van to drive several individuals, who are members of

² CD-1 pled guilty, pursuant to a cooperation agreement with the government, to one count of Hobbs Act robbery and one count of possessing a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. §§ 1951 and 924(c). CD-2 pled guilty, pursuant to a cooperation agreement with the government, to three counts of Hobbs Act robbery and two counts of possessing a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. §§ 1951 and 924(c). Both CD-1 and CD-2 are cooperating with the government in the hope of receiving a reduced sentence.

the same gang as the defendant, to conduct a retaliatory shooting of rival gang members. After being driven to the scene by the defendant, the defendant's fellow gang members shot two rival gang members.

4. CD-1 and CD-2 further informed the government that, on or about March 30, 2011, at approximately 6:45 p.m., the defendant HUGNEL ANDRE, also known as "Hugz," drove his co-conspirators to a grocery store at 1789 Linden Boulevard in Brooklyn, New York. While the defendant waited outside in his white van, at least three co-conspirators, one of whom was armed with a firearm, robbed the store. One robber stole United States currency from the store's cash register. Two of the robbers took cellular telephones from victims at the store.


5. At the time of the robbery a bystander across the street observed the three robbers flee the store and enter a white van, which drove from the scene.

6. Store security video recorded the robbery and corroborates CD-1's and CD-2's accounts of the robbery. Specifically, the security video recorded the robbers exit the store and walk around the corner. The video further shows that, shortly afterwards, a white vehicle drove from near the scene of the robbery, corroborating CD-1's, CD-2's and the eyewitness

accounts of the robbers' use of a white vehicle as a getaway automobile.

7. CD-1 and CD-2 further informed the government that, minutes after the first robbery, the defendant drove the co-conspirators to rob a second grocery store located at 60 East 55th Street in Brooklyn. At approximately 7:10 p.m. that day, the defendant waited in his van near the store while three co-conspirators entered with their faces covered. Inside, at least one robber displayed a firearm and two robbers displayed knives. One victim was pushed to the ground and sustained a laceration to his hand. At least one robber stole United States currency from the store's cash register and a lottery machine. The robbers fled the store, entered the defendant's van, which was parked nearby, and escaped.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant HUGNEL ANDRE, also known as "Hugz," so that he may be dealt with according to law.


Special Agent Joseph Infusino
Federal Bureau of Investigation

Sworn to before me this
26th day of November, 2012

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK